

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE
BANGOR DIVISION**

WE THE PEOPLE PAC; STATE REPRESENTATIVE :
BILLY BOB FAULKINGHAM; LIBERTY INITIATIVE :
FUND AND NICHOLAS KOWALSKI, :
 :
Plaintiffs, :
 :
 :
v. : DOCKRT NO. _____
 :
MATTHEW DUNLAP, in his official capacity as the :
Secretary of State of Maine; and JULIE FLYNN, in her :
official capacity as the Deputy Secretary of State of Maine :
for the Bureau of Corporations, Elections and :
Commissioners, :
 :
 :
Filed Electronically
Defendants. :

**PLAINTIFFS' MOTION FOR EMERGENCY TEMPORARY RESTRAINING ORDER
AND/OR PRELIMINARY INJUNCTION**

Pursuant to Red. R. Civ. P. 65(a) and (b), Plaintiffs respectfully move this Honorable Court for an emergency temporary restraining order and/or preliminary injunction temporarily and/or preliminarily enjoining Defendants from enforcing:

- (1) MRS Title 21-A, Chapter 11 Section 903-A, to the extent it requires that petitions for a direct initiative or people's veto may only be circulated by a registered voter of Maine; and,
- (2) MRS Title 21-A, Chapter 11, Section 903-A, to the extent it requires that petitions for a direct initiative or people's veto may only be circulated by a resident of the State of Maine, as applied to out-of-state circulators who first submit to the jurisdiction of the State of Maine for any investigation and/or prosecution of alleged violations of Maine's election code with respect to Referendum and/or People's Veto petitions filed with Defendants.

The Court should grant the requested emergency temporary restraining order and/or preliminary injunction for all the reasons set forth in the attached Memorandum of Law in Support of Plaintiffs' instant motion.

Respectfully submitted,

Dated: December 31, 2020

/s/ Stephen C. Whiting
Stephen C. Whiting, Bar No. 559
Counsel to Plaintiffs
The Whiting Law Firm
75 Pearl Street, Suite 207
Portland, ME 04101
(207) 780-0681
steve@whitinglawfirm.com

CERTIFICATE OF SERVICE

Plaintiffs, by and through their undersigned legal counsel, hereby certify that on this date, a true and correct copy of the foregoing document was caused to be personally served upon all Defendants at their place of business.

Respectfully submitted,

Dated: December 31, 2020

/s/ Stephen C. Whiting
Stephen C. Whiting, Bar No. 559
Counsel to Plaintiffs
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